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Atty. Dkt. No. 065691-0397

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Bernadette VERNEAU et al.
Title: COMPOSITION FOR ORAL ADMINISTRATION
CONTAINING CAPSAICINOIDS
Appl. No.: 10/542,406
Filing Date: 3/29/2006
Examiner: Qiuwen Mi
Art Unit: 1655
Confirmation Number: 3436

RESPONSE TO RESTRICTION REQUIREMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the restriction requirement set forth in the Office Action mailed January 9, 2007, Applicants hereby elect Group I, with traverse on the grounds that the claims do possess unity of invention over the prior art and there is no undue burden to examine the claims of Groups I and II. Upon indication of allowable subject matter, Applicants will request the rejoinder of Group II. For the species election requirement, applicants elect (i) mono-, di, and triglycerides fatty acid of claim 14, (ii) soya oil of claim 19 and (iii) green tea of claim 22.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check or credit card payment form being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to

charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicants hereby petition for such extension under 37 C.F.R. §1.136 and authorize payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

Date February 11, 2008

By _____

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